

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6838

BILL NUMBER: SB 243

NOTE PREPARED: Dec 30, 2002

BILL AMENDED:

SUBJECT: Train Whistles.

FIRST AUTHOR: Sen. Zakas

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 X DEDICATED
 X FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill requires the Department of Transportation (INDOT) to complete the safety study of a railroad crossing subject to a proposed train whistle ban not later than 120 days after INDOT receives notice of the passage of a train whistle ban ordinance from a city, town, or county. It allows INDOT to create pilot railroad crossing safety projects to improve railroad crossing safety. The bill specifies that the determination of whether an emergency exists is made by the engineer or other person operating the engine under a provision allowing the sounding of an engine's whistle contrary to local ordinance in the case of an emergency.

Effective Date: July 1, 2003.

Explanation of State Expenditures: The INDOT reports that under current law, they conduct the studies required in this proposal within 90 days after being notified of a train whistle ban. These studies are completed with current staff. This proposal requires that INDOT complete the studies within 120 days after being notified of the passage of the ordinance. The INDOT reports that the additional time will help them with the required safety study.

The proposal also allows the INDOT to create pilot projects to improve railroad crossing safety. The specific fiscal impact will depend upon the type of pilot projects that are created. INDOT noted that funding for such projects remains problematical at this time. It is unclear if federal funds can be used for such projects. If state funds are used, the fund affected will be the State Highway Fund.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of Transportation.

Local Agencies Affected: Units which enact a whistle ban ordinance.

Information Sources: Mike Scime, Director, Railroad Section, INDOT, 232-1491.